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16 **UNITED STATES DISTRICT COURT**
17 **CENTRAL DISTRICT OF CALIFORNIA**

18 SUSAN NICHOLSON HOFHEINZ, an
19 Individual,

20 Plaintiff,
21 v.

22 CAFÉ PRESS, INC., *et al.*,
23 Defendants.

Case No.: CV12-09306 DSF (MANx)
Honorable Dale S. Fischer Presiding

**REQUEST FOR ENTRY OF
DEFAULT AGAINST
DEFENDANT METAVERSE
CORPORATION, A NEW JERSEY
CORPORATION; DECLARATION
OF TREVOR W. BARRETT, ESQ.
IN SUPPORT THEREOF**

24 ATTENTION CLERK OF THE ABOVE-ENTITLED COURT:

25 Plaintiff Susan Nicholson Hofheinz hereby requests that the Clerk of the
26 above-entitled Court enter default in this matter against Defendant Metaverse
27 Corporation, a New Jersey Corporation on the grounds that said Defendant has
28 failed to appear or otherwise respond to the operative Complaint within the time
prescribed by the Federal Rules of Civil Procedure.

1 Plaintiff served the operative Complaint and Summons on November 5,
2 2012 as evidenced by the Proof of Service filed with the United States District
3 Court Central District on January 9, 2013, and allocated Docket Number 32. To
4 date, no response to the operative Complaint has been filed by Metaverse
5 Corporation and the time for filing this response has now expired.

6 The above-stated facts are set forth in the accompanying Declaration of
7 Trevor W. Barrett, Esq., which is filed concurrently herewith.

8
9 Dated: October 30, 2013

DONIGER / BURROUGHS

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11 By: /s/ Trevor W. Barrett
12 Trevor W. Barrett, Esq.
13 Scott A. Burroughs, Esq.
14 Attorneys for Plaintiff
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DECLARATION OF TREVOR W. BARRETT, ESQ.
IN SUPPORT OF REQUEST FOR ENTRY OF DEFAULT

I, Trevor W. Barrett, Esq., do declare and say as follows: I am above eighteen (18) years of age and not a party to this action. I am currently an attorney of record for Plaintiff in this action and if called upon could and would competently testify to the following:

1. Plaintiff Susan Nicholson Hofheinz has filed a copyright action entitled *Susan Nicholson Hofheinz v. Café Press, Inc.; et. al.; 12-CV-09306-DSF*.
2. Metaverse Corporation was and is a named Defendant in the above-stated action.
3. My firm caused to have served the operative Complaint and Summons in the above-named action on Metaverse Corporation on November 5, 2012 as described in the Proof of Service filed with the United States District Court Central District filed on January 9, 2013, and allocated Docket Number 32.
4. Metaverse Corporation has failed to file or serve a response to the operative Complaint.
5. The time period in which Metaverse Corporation was required to serve its response to the operative Complaint has expired.

I solemnly swear and declare under penalty of perjury and the laws of the United States of America that the foregoing is true and correct.

Executed in Culver City, California on October 30, 2013.

By: /s/ Trevor W. Barrett
Trevor W. Barrett, Esq.
Declarant